

### **REMARKS**

Claims 1-27 are canceled herein. Claims 28-54 are added herein and now remain pending.

The Applicant respectfully requests that the Examiner reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the remarks made herein. Entry of the Response is respectfully requested.

#### **Claims 1-27 over Nortel in view of Gross**

In the Office Action, claims 1-27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over publication "Nortel Networks Securing Voice across the Internet", hereinafter "Nortel" in view of U.S. Patent Application Publication No. 2002/0009060 to Gross ("Gross").

Claims 1-27 are canceled herein, making the rejection of claims 1-27 now moot. However, new claims 28-54 are added herein, which distinguish over the cited art as discussed below.

#### **Claims 28-54**

New claims 28-54 recite formation of a second tunnel between a first IP encapsulator and a second IP encapsulator.

Nortel appears to disclose an advertisement for secure voice communications provided by Nortel Networks. VPN client software initiates a IPSEC tunnel and both VoIP and data traffic are sent from a PC through an Internet Access Device (e.g., dial, DSL, cable modem, or router). (see page 2, middle column, last paragraph) A secure VPN tunnel is established between remote and headquarters-based sites. (see page 2, third column, first paragraph) Voice and data traffic sent across the VPN tunnel is encapsulated and encrypted to guarantee secure transmission – with a single VPN "branch" tunnel to the SOHO site and a single VPN "client" tunnel for IP traffic from the telecommuter site. (see page 2, third column, first paragraph)

Nortel fails to disclose formation of a second tunnel between a first IP encapsulator and a second IP encapsulator, as recited by claims 28-54.

The Examiner relies on Gross to allegedly disclose the acknowledged deficiency in Nortel, i.e., "a data router, being adapted to receive any of voice-over-IP (VoIP), voice-over-frame relay (VoFR), and voice-over-ATM (VoATM) communications". (see Office Action, pages 3 and 4) A thorough reading of Gross reveals that Gross fails to disclose use of a tunnel at all, much less a second tunnel between a first IP encapsulator and a second IP encapsulator, as recited by claims 28-54.

Nortel and Gross, either alone or in combination, fail to disclose, teach or suggest a second tunnel between a first IP encapsulator and a second IP encapsulator, as recited by claims 28-54.

For at least these reasons, claims 28-54 are patentable over the prior art of record.

### Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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